

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
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Inventors: Andrew Paul SHAWCROSS et al.)	Confirmation No. 7346
)	
Appln. No. 10/530,755)	Group Art Unit: 2853
)	
Filed: October 12, 2005)	Examiner: Shah, M.S.
)	
For: MONOAZO COMPOUNDS AND INKS)	
CONTAINING THEM)	

RESPONSE TO OFFICE ACTION OF JULY 14, 2008

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Office Action dated July 14, 2008, the Examiner is requested to reconsider the Section 102(b) rejections of the applicants' claims as these claims distinguish substantively over the Examiner's references. Hence rejection under Section 102(b) is not appropriate.

More specifically, the Examiner has rejected claims 1-7 and 13 under Section 102(b) as anticipated by Miyamoto et al. (U.S. Patent 5,131,917). However, the compounds of Formula 1 in applicants' claim 1 are not disclosed by Miyamoto et al. In particular, applicants' claim 1 specifies that, in the compounds of Formula (1), R² must be a specified alkyl. In the Miyamoto et al. compounds, the group which corresponds to R² is substituted phenyl. This is a substantive difference. Accordingly, claim 1 is novel over Miyamoto et al.

The same is true for claims 2-7 and 13, each of which depend from claim 1 and differ from Miyamoto et al. at least for the reason indicated.

Manifestly, rejection under Section 102(b) requires that a reference disclosure each and every feature of the claimed invention. The Miyamoto et al. reference does not meet this requirement for the reason that the reference does not disclose

compounds where R^2 in the applicants' Formula (1) compounds is an alkyl group as defined. Accordingly, the Section 102(b) rejection of claims 1-7 and 13 based on Miyamoto et al. should be withdrawn.

The same is true for the Examiner's Section 102(b) rejection of claims 1-13 as anticipated by Bauer et al. (U.S. 6,432,185). Bauer et al. do not disclose the applicants' compounds of claim 1. Furthermore, as all of the other claims (claims 2-13) depend, directly or indirectly from claim 1, it follows that Bauer et al. do not anticipate any of the applicants' claims.

More specifically, applicants' compounds differ from the Bauer et al. compounds with respect to the nature of the applicants' R^2 substituent. Thus, in the applicants' compounds, R^2 in Formula (1) of claim 1, must be "alkyl carrying a water-solubilising group selected from the group consisting of OH, $-(OCH_2CH_2)_q-$, where q is from 1 to 10, carboxylic acid and sulfonic acid groups and salts thereof; or a C_{1-12} -alkyl group free from water-solubilising groups". The compounds disclosed in Bauer et al. are dimers which are joined via the R^2 grouping. Thus, the R^2 group in the compounds disclosed by Bauer et al. is alkyl carrying an aminotriazine group. This is clearly different from the R^2 group required by the applicants.

Furthermore, it is noted that the applicants' compounds are monoazo compounds whereas the Bauer et al. compounds are disazo compounds by virtue of their dimeric nature. For this reason as well, the applicants' compounds differ from those described by Bauer et al.

In the circumstances, it is evident that the Bauer et al. compounds differ from the applicants' compounds in at least two respects. Accordingly, rejection of the applicants' claims 1-13 as anticipated by Bauer et al. is not appropriate and should be withdrawn.

Favorable reconsideration with allowance is requested.

Respectfully submitted,

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